

### Judge sticks by decision to test Ray rifle

MEMPHIS, Tenn. (AP) — A judge accused James Earl Ray's lawyers Thursday of creating a media circus but said he could do nothing to block new tests on the rifle believed used to kill Martin Luther King Jr.

Prosecutors asked Judge Chris Craft, the administrative judge for the state criminal court in Memphis, to decide if another Criminal judge, Joe Brown, has the authority to conduct the tests.

Brown said he will have the .30-06 hunting rifle fired Monday. It hasn't been fired since congressional investigations in the 1970s.

Craft said he could not tell another judge what to do. Prosecutors may seek an appeals court order delaying the tests.

Ray, suffering from liver disease, is seeking tests on the rifle in his attempt to take back his 1969 guilty plea and go to trial for the slaying. The rifle had Ray's fingerprints on it, but he said it was used to frame him.

Craft accused Jack McNeil, one of Ray's lawyers, of bypassing the court's usual procedure for assigning cases to judges when he went to Brown requesting the tests.

"You picked your court... to create this media circus," Craft said.

"The real significance of this case is who killed Martin Luther King," McNeil told him.

Prosecutors said they were not trying to prevent new tests on the rifle but opposed the way Brown was going about it. They also said evidence in the King assassination is under the control of another judge in whose court Ray gave his guilty plea.

"If Judge Brown does something or somebody else does something that destroys the integrity of that rifle... whatever evidence might be available may forever be lost," prosecutor Lee Coffee said.

He said Brown didn't give prosecutors a say in how or when the rifle will be fired.

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